

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
SOUTHERN DIVISION

2006 JUN 12 A 11:14

ANGELA LEE,

Plaintiff,

v.

UNITED SERVICES AUTOMOBILE  
ASSOCIATION;

Defendant.

CASE NO.: 1:06cv521-VPM

TRIAL BY JURY DEMANDED

**COMPLAINT**

COMES NOW the Plaintiff and hereby submits the following Complaint against the Defendant:

**GENERAL AND JURISDICTIONAL ALLEGATIONS**

1. Plaintiff Angela Lee is, and was at all times material hereto, a resident citizen of Geneva County, Alabama.
2. Defendant, United Services Automobile Association (hereinafter "USAA"), is a foreign corporation doing business in the State of Alabama and subject to the jurisdiction of this Court.
3. The incident that forms the basis for this lawsuit occurred in Geneva County, Alabama, on or about August 30, 2004.
4. The amount in controversy, exclusive of attorney's fees and costs, exceeds the minimum jurisdictional requirements of this Court.

**STATEMENT OF THE FACTS**

5. Plaintiff hereby incorporates the foregoing material paragraphs as though fully set out herein.
6. On or about August 30, 2004, Plaintiff Angela Lee was operating a vehicle, owned by Dennis A. Rowe and insured by United Services Automobile Association, when said vehicle was struck by another driver.
7. As a result of said collision, Plaintiff Angela Lee suffered significant permanent injuries.
8. The liability insurance carrier for the at-fault driver tendered its policy limits to Ms. Lee, but said policy limits were wholly insufficient to compensate Ms. Lee for her injuries and damages.
9. As a direct result of the collision, Plaintiff Angela Lee was caused to suffer the following injuries and damages:
  - a. personal injuries, including but not limited to, injuries to her neck and back;
  - b. pain and suffering;
  - c. mental anguish and emotional distress;
  - d. permanent disability and/or physical impairment.

**COUNT I**  
**UNDERINSURED MOTORIST BENEFITS**

10. Plaintiff re-alleges all prior paragraphs as if set out in full herein.
11. By its terms, the aforementioned policy of insurance with USAA provides up to \$100,000 in underinsured motorist benefits to Ms. Lee.


12. Due to the underinsured status of the at-fault driver, the Plaintiff hereby seeks payment of said underinsured motorist benefits pursuant to the aforementioned policies of insurance with USAA, and Fictitious Defendants "B" and "C".

**PRAYER FOR RELIEF**

13. Plaintiff re-alleges all prior paragraphs as if set out in full herein.
14. As a result of the Defendants' negligence, Plaintiff has been caused to suffer serious and severe bodily injury, pain and suffering, mental anguish, and loss of enjoyment of life.
15. Plaintiff demands judgment against the Defendant equal to all damages, both compensatory and punitive, which she would otherwise be entitled to collect from the aforementioned underinsured at-fault driver, plus attorney's fees, costs of court, and all other equitable relief deemed appropriate by this Honorable Court.

Respectfully submitted this the 8<sup>th</sup> day of June, 2006.

MORRIS, CARY, ANDREWS,  
TALMADGE, JONES & DRIGGERS, LLC

  
M. ADAM JONES (JON-126)  
Attorney for Plaintiff

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**JURY TRIAL DEMANDED ON ALL COUNTS SO TRIABLE.**

  
M. ADAM JONES (JON-126)  
Attorney for Plaintiff

Please serve the defendant at the following:

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